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November 4, 2016

VIA ECF

The Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: Order for Relief from Stay, filed by Lamar Ellis, Adv. Pro. No. 08-01789, ECF Nos. 13848, 13924, 14160, 14343

Dear Judge Bernstein:

We represent Irving Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa-III, and the substantively consolidated estate of Bernard L. Madoff.

On July 21, 2016, Mr. Lamar Ellis filed a document entitled Order for Relief from Stay (ECF No. 13848). On August 24, 2016, the Trustee responded to Mr. Ellis’s submission, explaining the reasons that Mr. Ellis is not entitled to relief, including: (i) Mr. Ellis is not a customer; (ii) on April 19, 2012, the Bankruptcy Court expunged Mr. Ellis’s claims; and (iii) on August 6, 2014, the Court held a hearing during which Mr. Ellis, appearing by telephone, admitted that he confused the Trustee’s BLMIS liquidation with Richard Breeden’s Madoff Victim Fund. The Trustee’s August 24, 2016 letter to the Court (ECF No. 13924) is attached hereto as Exhibit A.

At Your Honor’s direction, I contacted Mr. Ellis to ask that he telephonically appear for a conference on September 28, 2016. Mr. Ellis advised me that he no longer wished to pursue the relief from stay because he initiated an action in California. I communicated this conversation to Your Honor (ECF No. 14160, attached hereto as Exhibit B), and mailed Mr. Ellis a copy of that communication.

The Honorable Stuart M. Bernstein
November 4, 2016
Page 2

On October 26, 2016, Mr. Ellis again submitted documents to the Court (ECF No. 14343). The documents contain much of the same information previously submitted, as well as my correspondence with the Court, which I sent him via mail, and his filings in the Bankruptcy Court for the Central District of California.

The Trustee renews his request that the Court deny Mr. Ellis's request for relief from the stay and close this matter.

We appreciate Your Honor's continued attention to this matter.

Respectfully submitted,



Tatiana Markel

cc: Mr. Lamar Ellis, via mail